

Message Text

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ACTION SCS-05

INFO OCT-01 ARA-14 ISO-00 SCA-01 L-03 DHA-02 H-02
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P 272120Z JUN 77

FM AMEMBASSY LIMA

TO SECSTATE WASHDC PRIORITY 5447

UNCLAS LIMA 5354

FOR SCS

EO 11652: N/A

TAGS: CARR

SUBJ: LEGAL REPRESENTATION AVAILABLE TO AMERICANS ARRESTED
ABROAD

REF: STATE 147704

1. LEGAL COUNSEL OF PUBLIC DEFENDER TYPE IS PROVIDED GRATIS TO PRISONERS INCLUDING US NATIONALS WHO ARE ABSOLUTELY UNABLE TO FUND PRIVATE COUNSEL.

2. SUCH LEGAL REPRESENTATION IS READILY AVAILABLE AND IS APPOINTED FROM A LIST OF ATTORNEYS WHO HAVE VOLUNTEERED BEFORE A SPECIFIC COURT.

3. ACCORDING TO MOST AMERICAN ARRESTTES, THE QUALITY OF PRIVATE, PAID COUNSEL IS INDIFFERENT TO BAD. PUBLIC DEFENDERS ARE GENERALLY CONCEDED TO BE ALMOST ABSOLUTELY LACKING IN QUALITY, SINCE BY AND LARGE ATTORNEYS OF REPUTATION DO NOT VOLUNTEER, AND THEIR ACTIVITIES ARE USUALLY LIMITED TO MAKING OBLIGATORY DEFENSE APPEARANCE AND NOT TO KEEPING PAPERWORK, WHICH IS MOUNTAINOUS, MOVING.

4. IF FREE LEGAL SERVICE FOR ARRESTEES IS CONTEMPLATED, DEPART-
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MENT SHOULD PERHAPS BE AWARE THAT TWO AMERICANS IN PERU WHO ARE INVOLVED IN LENGHTLY ACRIMONIOUS STATE CASES ARE NOT FREE TO LEAVE THE COUNTRY (BY ORDER OF THE COURTS) AND HAVE SOUGHT FREE LEGAL SERVICES FROM EMBASSY. SINCE CHARGES AND COUNTERCHARGES LEADING TO QTE. STOP TRAVEL UNQTE ORDERS ARE NOT UNCOMMON IN SUCH CIVIL CASES IN PERU, AMCITS INVOLVED IN THIS KIND OF SITUATION MIGHT WELL CLAIM THAT THEY ARE ALSO ENTITLED TO FREE LEGAL SERVICES.

SHLAUDE
MAN

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Message Attributes

Automatic Decaptioning: X
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Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
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Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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